

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being transmitted by either electronic submission using the EFS WEB submission system, fax to the U.S. Patent and Trademark office to fax number 571-273-8300, or is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 20, 2008.

/Brian C. Kunzler/
Attorney for Applicants

PATENT

Docket No. TUC920030066US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Lyn L. Ashton et al.)
Serial No.: 10/648,584)
Filed: August 25, 2003) Group Art
For: **APPARATUS, SYSTEM, AND METHOD FOR**)
UTILIZING TAPE MEDIA SEGMENTATION)
Examiner: Jared I. Rutz)

37 CFR §1.312 AMENDMENT

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This amendment is filed in response to the notice of allowance mailed March 5, 2008 indicating that the application is allowed. Please amend the above-identified application as follows:

OK TO ENTER: /J.R./

IN THE SPECIFICATION:

Please amend the title on the cover page, page 1, and the last page as follows:

**APPARATUS, SYSTEM, AND METHOD FOR
UTILIZING TAPE MEDIA SEGMENTATION**

Please amend the Abstract as follows:

An ~~apparatus, system, and~~ method ~~are~~ is presented for utilizing tape storage media segmentation to improve data access performance. A segmented tape storage medium within a tape cartridge having a first and second segment is utilized. A selection module allows a user to select a user-defined capacity of the tape storage medium that is less than the usable capacity of the tape storage medium. The user-defined capacity allows the user to prefer improved data access over tape storage capacity. Data, when written to the tape, is written only within the user-defined capacity. Data may be written exclusively on the first segment or written on both the first segment and second segment allowing data access to be improved. In addition, the user-defined capacity may correspond to the full capacity of the tape storage media.

Amendments to the Claims:

Please amend the claims as indicated.

1. (Canceled)

2. (Canceled)

3. (Canceled)

4. (Canceled)

5. (Canceled)

6. (Canceled)

7. (Canceled)

8. (Canceled)

9. (Canceled)

10. (Canceled)

11. (Canceled)

12. (Previously Presented) A process for utilizing tape storage media segmentation to improve data access performance, the process comprising:
 - providing a tape storage device having a tape storage medium, the tape storage medium formatted with a serpentine recording path and divided into sixteen head index positions, each head index position including thirty-two tracks;
 - accessing at least one of a first segment and a second segment on the tape storage medium;
 - allowing a user to select a user-defined capacity of the tape storage medium that is equivalent to the capacity of the first segment of the tape storage medium and that is less than a usable capacity of the tape storage medium; and
 - identifying a tape storage device as full when the user-defined capacity of the tape storage medium is used to store the data and to mark the tape storage medium as full.
13. (Canceled)
14. (Canceled)
15. (Original) The process of claim 12, wherein allowing a user to select a user-defined capacity further comprises allowing the user to select the user-defined capacity of the tape storage medium before the data has been stored on the tape storage medium.
16. (Original) The process of claim 12, wherein allowing a user to select a user-defined capacity further comprises allowing the user to select the user-defined

capacity of the tape storage medium after the data has been stored on the tape storage medium.

17. (Original) The process of claim 12, further comprising associating the user-defined capacity of the tape storage medium with the tape storage device.

18. (Original) The process of claim 12, further comprising writing data to the tape storage medium within the user-defined capacity.

19. (Canceled)

20. (Canceled)

21. (Canceled)

22. (Canceled)

REMARKS

Applicants submit these amendments which direct the application exclusively to a single set of method claims without any change in the scope of the allowed claims. Claims 2, 3, 8, 13, 14, 19, and 22 were previously canceled. Applicant canceled claims 1, 4-7, 9-11, 20, and 21. Applicants reserve the right to pursue these canceled claims in a continuation application.

Applicants request that these amendments be entered in accordance with MPEP §714.16.

Applicants submit the enclosed amendments to cancel non-method claims and to the title and abstract to conform to the type of claims remaining. Applicants note that entering of these amendments is within the discretion of the Examiner because cancelation of claims from the application does not require approval from the Examiner's supervisor. MPEP §714.16(d).

Respectfully submitted,

/Brian C. Kunzler/

Brian C. Kunzler
Reg. No. 38,527
Attorney for Applicant

Date: May 20, 2008
8 East Broadway, Suite 600
Salt Lake City, UT 84111
Telephone (801) 994-4646
Fax (801) 531-1929